

Frequently Asked Questions About Treatment Control Best Management Practices

Background

On January 24, 2007, the City of Carlsbad (City) was issued a Municipal Storm Water Permit (Municipal Permit) by the California Regional Water Quality Control Board. The Municipal Permit requires the City to prevent storm water pollution during all three phases of urban land use planning: new development, construction, and existing development. The Municipal Permit also requires the City to improve the quality of the water flowing into the storm water system through the implementation of Best Management Practices (BMPs).

Did you know that storm drains are NOT connected to sanitary sewer systems or treatment plants? The primary purpose of storm drains is to carry rainwater away from developed areas to prevent flooding. As rainfall flows over the ground, it picks up a variety of pollutants which flow directly to our creeks, lagoons, and ocean. Storm water pollution comes from a variety of sources including oil and fluid leaks from vehicles and equipment, trash, lawn clippings, pet waste, pesticides, fertilizers, and improper erosion control. The City of Carlsbad is committed to improving water quality and reducing the amount of pollutants that enter our waterways.

What are treatment control BMPs?

Treatment Control Best Management Practices (BMPs) are structures, procedures, and practices that help to prevent pollutants from entering our storm drains. The intent of treatment control BMPs is to assure that storm water runoff from developed areas does not impact waterways. As land is developed, vegetation is replaced with paved surfaces and rooftops which results in a higher potential for storm water pollution to runoff into waterways.

What are some examples of treatment control BMPs?

Treatment control BMPs fall into one of two categories - non-structural or structural. **Non-structural BMPs** are preventative actions that involve policies, ordinances, requirements, practices, and standards that help prevent storm water pollution. Examples include directing urban growth to already developed areas, protecting, maintaining, and/or increasing open spaces, providing buffers along sensitive areas, minimizing impervious surfaces, and encouraging public education programs to reduce water quality impacts. **Structural BMPs** are designed to provide treatment of storm water either through storage, filtration, or infiltration. The most common types of treatment control BMPs found in Carlsbad include:

- Dry Extended Detention Basin (TC-22)
- Infiltration Basins (TC-11)
- Drain Inserts (MP-52)
- Media filters (TC-40 and MP-40)
- Vortex Separators (MP-51)
- Wet Vaults (MP-50)

Who is responsible for maintaining treatment control BMPs?

Maintenance of treatment control BMPs is a shared responsibility between the City and the community. Treatment control BMPs and other storm drain structures on public streets, property, and some easements are monitored and maintained by the City. Private property owners are responsible for maintaining treatment control BMPs on their properties including keeping their portion of the storm drain system free of trash, sediments, excessive vegetation, and other materials that may contribute to storm water pollution.

Why is the City requiring private property owners to maintain treatment control BMPs?

The Municipal Permit requires the City to develop, implement, and enforce a program to verify and inspect all privately owned treatment control BMPs. Generally, inspection and verification of treatment control BMPs is a partnership between the City and private property owners. **However, private property owners are solely responsible for maintaining all treatment control BMPs on their property.** Routine inspection and maintenance is an efficient way to prevent potential nuisance situations (odors, mosquitoes, weeds, etc.), reduce the need for repairs, and decrease the potential for storm water runoff. Failure to properly maintain treatment control BMPs could result in enforcement actions such as citations, fines, and nuisance declaration.

Isn't the developer required to maintain the treatment control BMPs?

Often there is no long-term responsibility for the developer to assume maintenance of treatment control BMPs. For example, a developer builds a residential subdivision, installs the structures, and then sells the lots. The roads and infrastructure are usually taken over by the City, but the storm water treatment control BMPs become the property of the homeowners association or the individual landowner. Private property owners are responsible for performing and verifying all maintenance activities on privately owned treatment control BMPs. The City will also conduct annual compliance inspections to ensure BMPs are maintained as required.

Is this covered under my maintenance agreement with the City of Carlsbad?

Maintenance agreements or covenants are legally binding agreements between public agencies and private property owners that ensure storm drainage systems are constructed and maintained in accordance with the approved plans and development standards. Maintenance agreements describe the designated party responsible for maintaining the treatment control BMP(s) and scheduling maintenance activities. The designation of a responsible party (i.e., property management company, homeowner associations, etc.) to maintain the storm drain structures does not relieve the private property owner of any obligations to maintain the treatment control BMP(s).

Easements usually only allow the City to access private property to conduct inspections or provide emergency service/repairs to the storm drain system. In most cases, this does not confer any responsibility for the City to maintain that portion of the storm drain system located on private property.

How do I know if my treatment control BMPs have been maintained?

If you are not sure if your treatment control BMPs have been maintained check with your HOA, property management company, facility maintenance staff, or landscapers to see if storm drain maintenance is a part of their routine operations. Be sure to save all receipts, maintenance schedules, inspection reports/forms, and other documentation that shows BMPs have been maintained. It is important that routine maintenance of storm water BMPs is done according to schedule or as soon as a problem is discovered. Many treatment control BMPs are rendered ineffective if not installed and maintained properly. In some cases, BMP neglect can have detrimental effects on landscape and increase the potential for erosion and pollutant discharge.

Will the City be inspecting my site?

The City of Carlsbad has developed an inventory of all privately owned treatment control BMPs and will be conducting storm water compliance inspections on an annual basis. These compliance inspections may include a meeting with the responsible party, visual observation of the structure(s), evaluation of the BMP(s), and recommendations for additional measures or corrective actions required to comply with the storm water regulations. During each inspection, the inspector will also document whether the BMP is performing correctly and if there is any damage since the last inspection.

What are the City's requirements for verifying the effective operation and maintenance of treatment control BMPs?

All treatment control BMPs should be regularly inspected by the property owner or responsible party to ensure continued effectiveness and structural integrity. In addition, the City will require private property owners to verify the maintenance of treatment control BMPs on an annual basis. The City has developed a verification form for private property owners and responsible parties to use. Verification includes a signed statement from the property owner or responsible party confirming that treatment control BMP(s) have been maintained as required. Generally, treatment control BMPs should be checked prior to and after each storm event in addition to regularly scheduled inspections. The verification form can be submitted by fax or mail to the City and can also be downloaded from the City's webpage at www.carlsbadca.gov.

What are the minimum maintenance requirements for treatment control BMPs?

There are several things you can do to help maintain the storm drains on your property. Before and after a heavy rain, please remember to:

- Check and clean the treatment control BMPs on property. Blockages can cause water to pond and damage your property and parking lots.
- Remove leaves, branches, roadside litter, weeds or any material that can block treatment control BMPs.
- NEVER use a hose to clean a storm drain or treatment control BMPs. Avoid using blowers that only displace residue. Dispose of waste and trash properly.
- Check the storm drains inlets to be sure they are free of any materials and debris. Check the drainage path and remove any debris.
- Report any unauthorized access or illegal dumping into drainage systems. Call the Storm Water Hotline at 760-602-2799 to report spills or illegal discharges.

How do I get more information about treatment control BMP maintenance, verification, and inspection?

City staff is available to assist you throughout program implementation. To schedule an appointment with a City inspector please call 760-602-2780 x7111. You can also find information about the treatment control BMP maintenance verification and inspection program at www.carlsbadca.gov. Storm water technologies are constantly changing and being improved. The City of Carlsbad recommends that you be proactive and stay informed about these changes, developments, and improvements in storm water pollution prevention and compliance.